

Appl. No. : 10/601,037  
Filed : June 19, 2003

### REMARKS

Claims 15-20, 22, 23 and 27-44 are pending in the present application and stand rejected as obvious over the combination of Bai (US 6,166,417) and Matsuse (US 6,861,356). Without acquiescing in the rejection, Applicants have amended independent Claims 15 and 42 to indicate that the barrier layer influences the work function of one or both gate electrodes. New Claims 45 and 46 have been added, which depend from Claims 42 and 15 respectively. Support for the amendments and new claims can be found, for example, at paragraphs [0019] and [0035] of the specification.

Neither Bai nor Matsuse teach or suggest a barrier layer that influences and/or determines the work function of a gate electrode. To the contrary, Bai actually suggests that the barrier layer be kept thin enough to ensure that it does not affect the work function of the gate electrode stack, stating "In this manner, the work function of the gate electrode stack...is determined by the metal layer and not the barrier layer" (column 3, lines 36-54). As a result, Applicants submit that the current claims are not obvious in view of the cited combination and request that the present rejections be withdrawn and the case moved to allowance.

If any issues remain, the Examiner is invited to contact Applicants' representative at the number provided below in order to resolve such issues promptly.

Respectfully submitted,

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